

AMENDED IN SENATE JUNE 10, 2014

AMENDED IN ASSEMBLY MAY 7, 2014

AMENDED IN ASSEMBLY APRIL 10, 2014

AMENDED IN ASSEMBLY MARCH 17, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

## ASSEMBLY BILL

**No. 1566**

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### Introduced by Assembly Member Holden

January 29, 2014

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An act to amend Sections 19227, 19302, 19304, 19305.5, 19306, 19312, 19313.8, ~~and 19314~~ 19314, and 19315 of the Food and Agricultural Code, and to amend Sections 2460, 2462, 2464, 2466, 2468, 2470, 2472, and 2476 of, and to add Sections 2480 and 2482 to, the Vehicle Code, relating to inedible kitchen ~~grease~~ grease, and making an appropriation therefor.

#### LEGISLATIVE COUNSEL'S DIGEST

AB 1566, as amended, Holden. Inedible kitchen grease.

(1) Existing law generally regulates persons engaged in certain businesses dealing with dead animals and pet food processing, including, among others, renderers, collection center operators, pet food processors, dead animal haulers, and transporters of inedible kitchen grease, as defined. These regulatory provisions are enforced by the Department of Food and Agriculture.

*Existing law requires licensed renderers and collection centers to pay a specified license fee. Existing law operative until July 1, 2015, and repealed as of January 1, 2016, authorizes the department to assess an additional fee for purposes of administering the provisions regulating*

*these renderers and collection centers. Existing law requires fees collected pursuant to these provisions to be deposited into the Department of Food and Agriculture Fund and continuously appropriates the collected funds for the purposes described above.*

*This bill would extend the operation of these provisions until July 1, 2020, and would repeal them as of January 1, 2021. By extending the operation of provisions that require the collection and deposit of funds that are continuously appropriated, this bill would make an appropriation.*

~~The department is authorized~~

*(2) Existing law authorizes the department to issue licenses to renderers and collection centers and to issue registration certifications to persons engaged in the transportation of inedible kitchen grease. The department is authorized Existing law authorizes the department to refuse to issue a license to a renderer or collection center, after notice and hearing, unless the applicant satisfies specified requirements. The department is also authorized to suspend or revoke a transporter's registration upon making specified findings and to establish procedures for an appeal of that suspension or revocation.*

*This bill would impose additional requirements upon an applicant for a rendering license and collection center license, and for registration as a certificated transporter. The bill would delete the requirement for a notice and hearing before refusing to issue a license and would instead authorize a person to whom the department refuses to issue a rendering or collection center license to appeal to the department, pursuant to a specified procedure. The bill would authorize the department to suspend or revoke a renderer license or collection center license if the department makes specified findings and would establish a procedure for appealing the suspension or revocation of a license. The bill would require the department to adopt regulations that specify the maximum time period for which a refusal of registration as a certificated transporter, and a suspension or denial of that registration, may be imposed.*

*(3) Existing law requires registered transporters of inedible kitchen grease to pay a specified registration fee. Existing law operative until July 1, 2015, and repealed as of January 1, 2016, authorizes the department to assess an additional fee for purposes of administering the provisions regulating these transporters. Existing law exempts from 75% of the additional fee a registered transporter who transports inedible kitchen grease for his or her own personal, noncommercial use as an alternative fuel, subject to specified requirements. A violation*

*of these provisions is a crime. Existing law requires fees collected pursuant to these provisions to be deposited into the Department of Food and Agriculture Fund and continuously appropriates the collected funds for the purposes described above.*

*This bill would extend the operation of these provisions until July 1, 2020, and would repeal them on January 1, 2021. By extending the operation of provisions that require the collection and deposit of funds that are continuously appropriated, this bill would make an appropriation. By extending the operation of an existing crime, this bill would impose a state-mandated local program.*

(2)

(4) Existing law prohibits a registered transporter or any other person from taking possession of inedible kitchen grease from an unregistered transporter, or knowingly taking possession of stolen inedible kitchen grease. A violation of the provisions regulating renderers is a crime.

This bill would additionally prohibit taking possession of inedible kitchen grease from an unlicensed collection center or an unlicensed renderer. By expanding the scope of an existing crime, this bill would impose a state-mandated local program.

(3)

(5) Existing law requires every licensed renderer to record and keep for 2 years records containing specified information, including the name, address, and registration number of every transporter of inedible kitchen grease who has delivered to the renderer, the total amount of inedible kitchen grease purchased in each transaction, and the date of each transaction. Existing law provides that any licensed renderer who fails to keep specified records, and any licensed renderer or registered transporter who refuses, upon demand of any peace officer, to exhibit any required records, is guilty of a misdemeanor punishable by: (1) for a first offense, a fine of \$500, imprisonment in a county jail, or both the fine and imprisonment; (2) for a 2nd offense within a period of one year, by a fine of not less than \$1,000, imprisonment in a county jail, or both the fine and imprisonment; (3) for a 3rd or any subsequent offense within a period of 2 years, by a fine of not less than \$2,000, imprisonment in a county jail, or both the fine and imprisonment.

This bill would increase the amount of these fines to \$1,000, \$5,000, and \$10,000, respectively. The bill would apply these provisions to licensed collection centers, as defined. The bill would additionally allow for the inspection of any required records by an authorized employee of the Department of the California Highway Patrol or the Department

of Food and Agriculture. By expanding the scope of crimes, this bill would impose a state-mandated local program. This bill would make conforming and clarifying changes to other provisions of existing law to remove a conflict in those provisions.

(4)

(6) Existing law prohibits any person from engaging in the transportation of inedible kitchen grease without being registered with the Department of Food and Agriculture and without being in possession of a valid registration certificate issued by the department. Existing law prohibits a licensed renderer, registered transporter, or any other person from taking possession of inedible kitchen grease from an unregistered transporter, or knowingly take possession of stolen inedible kitchen grease. Violation of these provisions is punishable by a fine, imprisonment in a county jail, or both the fine and imprisonment, as specified.

This bill would additionally require possession of a manifest, as defined, for the inedible kitchen grease being transported. The bill would additionally prohibit a renderer, registered transporter, or any other person from taking possession of inedible kitchen grease from an unlicensed renderer or collection center. By expanding the scope of existing crimes, this bill would impose state-mandated local programs.

This bill would authorize a peace officer to remove a vehicle, within the territorial limits in which the officer may act, if the vehicle is involved in the theft or movement of stolen inedible kitchen grease. The bill would authorize the peace officer to seize and impound the vehicle, after citing or arresting the responsible person, for up to 15 days, as specified.

This bill would require each vehicle transporting inedible kitchen grease to display both a specified decal and certain information on the front doors of the vehicle, as specified.

(5)

(7) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: ~~no~~-yes. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1     **SECTION 1.** *Section 19227 of the Food and Agricultural Code*  
2 *is amended to read:*

3     19227. (a) In addition to the license fee required pursuant to  
4 Section 19225, the department may charge each licensed renderer  
5 and collection center an additional fee necessary to cover the  
6 reasonable costs of administering Article 6 (commencing with  
7 Section 19300) and Article 6.5 (commencing with Section 19310).  
8 The additional fees authorized to be imposed by this section may  
9 not exceed three thousand dollars (\$3,000) per year per each  
10 licensed rendering plant or collection center.

11     (b) The secretary shall fix the annual fee established pursuant  
12 to this section and may fix different fees for renderers and  
13 collection centers. The secretary shall also fix the date the fee is  
14 due and the method of collecting the fee. If an additional fee is  
15 imposed on licensed renderers pursuant to subdivision (a) and an  
16 additional fee is imposed on registered transporters pursuant to  
17 subdivision (a) of Section 19315, only one additional fee may be  
18 imposed on a person or firm that is both licensed as a renderer  
19 pursuant to Article 6 (commencing with Section 19300) and  
20 registered as a transporter of inedible kitchen grease pursuant to  
21 Article 6.5 (commencing with Section 19310), which fee shall be  
22 the higher of the two fees.

23     (c) If the fee established pursuant to this section is not paid  
24 within one calendar month of the date it is due, a penalty shall be  
25 imposed in the amount of 10 percent per annum on the amount of  
26 the unpaid fee.

27     (d) This section shall become inoperative on July 1, ~~2015~~, 2020,  
28 and, as of January 1, ~~2016~~, 2021, is repealed, unless a later enacted  
29 statute, that becomes operative on or before January 1, ~~2016~~, 2021,  
30 deletes or extends the dates on which it becomes inoperative and  
31 is repealed.

32     ~~SECTION 1.~~

33     **SEC. 2.** Section 19302 of the Food and Agricultural Code is  
34 amended to read:

35     19302. (a) The department may refuse to issue a license if the  
36 department finds that the applicant does not meet one or more of  
37 the following requirements:

1 (1) The applicant is properly equipped to engage in the business  
2 of rendering or operating a collection center. For these purposes,  
3 the department shall consult with the rendering industry to  
4 determine the equipment that shall be required.

5 (2) The applicant has never been convicted of a felony involving  
6 adulterated or misbranded food.

7 (3) The applicant has not violated this article or Article 6.5  
8 (commencing with Section 19310), or any regulations adopted to  
9 implement those provisions.

10 (b) A person to whom the department refuses to issue a license  
11 may appeal to the department within 20 days of the date of  
12 receiving notification of the refusal, in the following manner:

13 (1) The appeal shall be in writing and signed by the appellant  
14 or his or her authorized agent and shall state the grounds for the  
15 appeal.

16 (2) A party, at the time of filing the appeal, or within 10 days  
17 after filing the appeal, may present written evidence and a written  
18 argument to the department.

19 (3) The department may grant oral arguments upon application  
20 made at the time written arguments are made.

21 (4) If an application to present an oral argument is granted, the  
22 department shall give written notice of the time and place for the  
23 oral argument at least 10 days prior to the date set for the oral  
24 argument. This time requirement may be altered by an agreement  
25 between the department and the person appealing the refusal to  
26 issue the license.

27 (5) The department shall decide the appeal on any oral or written  
28 arguments, briefs, and evidence that the department receives.

29 (6) The department shall render a written decision within 45  
30 days of the date of appeal, or within 15 days of the date of oral  
31 arguments. A copy of the department's decision shall be delivered  
32 or mailed to the appellant.

33 (7) The department may sustain the decision to refuse to issue  
34 a license or reverse that decision.

35 (8) The appellant may seek a review of the decision of the  
36 department pursuant to Section 1094.5 of the Code of Civil  
37 Procedure.

38 ~~SEC. 2.~~

39 *SEC. 3.* Section 19304 of the Food and Agricultural Code is  
40 amended to read:

19304. All records required to be retained pursuant to this chapter shall be maintained for two years at the regular place of business of every renderer and collection center operator licensed pursuant to this article and every transporter registered pursuant to Article 6.5 (commencing with Section 19310). Those records shall be exhibited on demand to any peace officer or authorized employee of the Department of the California Highway Patrol and the Department of Food and Agriculture.

~~SEC. 3.~~

*SEC. 4.* Section 19305.5 of the Food and Agricultural Code is amended to read:

19305.5. (a) The department may suspend or revoke a renderer license or collection center license at any time, if it finds any of the following has occurred:

(1) The licensee has sold or offered for sale to an unlicensed person, any inedible kitchen grease.

(2) The licensee has stolen, misappropriated, contaminated, or damaged inedible kitchen grease or containers of inedible kitchen grease.

(3) The licensee has violated any provision of this article or any regulations adopted to implement this article.

(4) The licensee has taken possession of inedible kitchen grease from an unregistered transporter or has knowingly taken possession of inedible kitchen grease that has been stolen.

(b) —The licensee may appeal any suspension or revocation decision to the department within 20 days of the date of receiving notification of the suspension or revocation, pursuant to the following procedure:

(1) The appeal shall be in writing and signed by the appellant or his or her authorized agent and shall state the grounds for the appeal.

(2) A party, at the time of filing the appeal, or within 10 days after filing the appeal, may present written evidence and a written argument to the department.

(3) The department may grant oral arguments upon application made at the time written arguments are made.

(4) If an application to present an oral argument is granted, the department shall give written notice of the time and place for the oral argument at least 10 days prior to the date set for an oral argument. This time requirement may be altered by an agreement

1 between the department and the person appealing the suspension  
2 or revocation of the license.

3 (5) The department shall decide the appeal on any oral or written  
4 arguments, briefs, and evidence that the department receives.

5 (6) The department shall render a written decision within 45  
6 days of the date of appeal, or within 15 days of the date of oral  
7 arguments. A copy of the department's decision shall be delivered  
8 or mailed to the appellant.

9 (7) The department may sustain the suspension or revocation  
10 decision or reverse that decision.

11 (8) The appellant may seek a review of the decision of the  
12 department pursuant to Section 1094.5 of the Code of Civil  
13 Procedure.

14 ~~SEC. 4.~~

15 *SEC. 5.* Section 19306 of the Food and Agricultural Code is  
16 amended to read:

17 19306. (a) Any renderer or collection center operator licensed  
18 pursuant to this article or transporter registered pursuant to Article  
19 6.5 (commencing with Section 19310) who fails in any respect to  
20 keep the written records required by this article, or to set out in  
21 that written record any matter required by this article to be set out  
22 in the record, is guilty of a misdemeanor.

23 (b) Every renderer, collection center operator, or transporter  
24 who refuses, upon demand of any peace officer or authorized  
25 employee of the Department of the California Highway Patrol and  
26 the Department of Food and Agriculture, to exhibit any written  
27 record required by this article, or who destroys that record within  
28 two years after making the final entry of any information required  
29 by this article, is guilty of a misdemeanor.

30 (c) Any violation of subdivision (a) or (b) is punishable as  
31 follows:

32 (1) For a first offense, by a fine of not less than one thousand  
33 dollars (\$1,000) or by imprisonment in a county jail for not more  
34 than 30 days, or by both the fine and imprisonment.

35 (2) For a second offense within a period of one year, by a fine  
36 of not less than five thousand dollars (\$5,000) or by imprisonment  
37 in a county jail for not more than 30 days, or by both the fine and  
38 imprisonment. In addition to any other punishment imposed  
39 pursuant to this paragraph, the court may order the defendant to



1 stop engaging in the business as a renderer, collection center  
2 operator, or transporter for a period not to exceed 30 days.

3 (3) For a third or any subsequent offense within a period of two  
4 years, by a fine of not less than ten thousand dollars (\$10,000) or  
5 by imprisonment in a county jail for not more than six months, or  
6 by both the fine and imprisonment. In addition to any other  
7 sentence imposed pursuant to this paragraph, the court shall order  
8 the defendant to stop engaging in the business as a renderer,  
9 collection center operator, or transporter for a period of 30 days.

10 ~~SEC. 5.~~

11 *SEC. 6.* Section 19312 of the Food and Agricultural Code is  
12 amended to read:

13 19312. (a) Registration shall be made with the department and  
14 shall include all of the following:

15 (1) The applicant's name and address.

16 (2) A description of the operations to be performed by the  
17 applicant.

18 (3) The vehicles to be used in the transportation.

19 (4) A registration fee of one hundred dollars (\$100).

20 (5) A list of the names of the drivers employed by the transporter  
21 who transport inedible kitchen grease subject to this article and  
22 their drivers' license numbers.

23 (6) Any other information that may be required by the  
24 department.

25 (b) Any renderer or collection center that registers pursuant to  
26 this article is not required to pay the fee prescribed in this section.

27 (c) The department may refuse to issue an original or renewal  
28 registration certificate to an applicant for either of the following  
29 reasons:

30 (1) The existence of the grounds specified in subdivisions (a)  
31 to (e), inclusive, of Section 19314.

32 (2) A failure to pay, in full by the established due date, any  
33 penalty levied by the department for a previous violation of this  
34 article or Article 6 (commencing with Section 19300).

35 (d) (1) The applicant may appeal the decision of the department  
36 to refuse to register the applicant.

37 (2) The department shall establish procedures for the appeals  
38 process, to include a noticed hearing.

39 (3) The department may reverse a decision to refuse to register  
40 the applicant, upon a finding of good cause to do so.

(e) The department shall adopt regulations that specify the maximum time period for which a refusal of registrations may be imposed, based on the severity or the number of violations that are the basis of the department's action. The time period for the refusal of registration shall not exceed three years from the date the refusal of registration is imposed.

~~SEC. 6.~~

SEC. 7. Section 19313.8 of the Food and Agricultural Code is amended to read:

19313.8. A registered transporter or any other person shall not take possession of inedible kitchen grease from an unregistered transporter, an unlicensed collection center, or an unlicensed renderer, or knowingly take possession of stolen inedible kitchen grease.

~~SEC. 7.~~

SEC. 8. Section 19314 of the Food and Agricultural Code is amended to read:

19314. The department may suspend or revoke a registration certificate, at any time, if it finds any of the following has occurred:

(a) The registrant has sold or offered for sale to an unlicensed person, any inedible kitchen grease.

(b) The registrant has stolen, misappropriated, contaminated, or damaged inedible kitchen grease or containers of inedible kitchen grease.

(c) The registrant has violated this article or any regulations adopted to implement this article.

(d) The registrant has taken possession of inedible kitchen grease from an unregistered transporter or has knowingly taken possession of inedible kitchen grease that has been stolen.

(e) The registrant has been found to have engaged in, or aided and abetted another person or entity in the commission of, any violation of a statute, regulation, or order relating to the transportation or disposal of inedible kitchen grease, including a violation of the federal Water Pollution Control Act (33 U.S.C. Sec. 1251 et seq.), the Porter-Cologne Water Quality Control Act (Division 7 (commencing with Section 13000) of the Water Code), Section 5650 of the Fish and Game Code, commercial vehicle weight limits, or commercial vehicle hours of service.

(f) For purposes of this section, "registrant" includes any business entity, trustee, officer, director, partner, person, or other

1 entity holding more than 5 percent equity, ownership, or debt  
2 liability in the registered entity engaged in the transportation of  
3 inedible kitchen grease.

4 (g) (1) The registrant may appeal the suspension or revocation  
5 decision of the department.

6 (2) The department shall establish procedures for the appeals  
7 process, to include a noticed hearing.

8 (3) The department may reverse a suspension or revocation  
9 upon a finding of good cause to do so.

10 (h) The department shall adopt regulations that specify the  
11 maximum time period during which a suspension or revocation of  
12 a registration certificate may be imposed, based on the severity or  
13 the number of violations that are the basis of the department's  
14 action. The time period for the suspension or revocation of the  
15 registration certificate shall not exceed three years from the date  
16 the suspension or revocation of the registration certificate is  
17 imposed.

18 *SEC. 9. Section 19315 of the Food and Agricultural Code is*  
19 *amended to read:*

20 19315. (a) Except as provided in subdivision (b), in addition  
21 to the registration fee required by Section 19312, the department  
22 may charge a fee necessary to cover the costs of administering this  
23 article. Any additional fee charged pursuant to this section shall  
24 not exceed three hundred dollars (\$300) per year per vehicle that  
25 is operated to transport kitchen grease, and shall not exceed three  
26 thousand dollars (\$3,000) per year per registered transporter.

27 (b) An individual registered pursuant to this article who  
28 transports inedible kitchen grease for his or her own personal,  
29 noncommercial use as an alternative fuel is exempt from 75 percent  
30 of the fee charged pursuant to subdivision (a), and shall meet all  
31 of the following requirements:

32 (1) The individual shall meet all other requirements of this  
33 article.

34 (2) The individual shall not transport more than 55 gallons of  
35 inedible kitchen grease per load for that purpose, and shall have  
36 no more than 165 gallons of inedible kitchen grease in his or her  
37 possession or control at any time.

38 (3) The individual shall not take any inedible kitchen grease  
39 from a container owned by another registered transporter of  
40 inedible kitchen grease or from an inedible kitchen grease provider

1 under contract with a registered transporter of inedible kitchen  
2 grease or from a container owned by a renderer or collection center.

3 (4) The individual shall have a document in his or her possession  
4 while transporting inedible kitchen grease signed by the responsible  
5 party providing the inedible kitchen grease to the individual at the  
6 source of the inedible kitchen grease that provides permission for  
7 the inedible kitchen grease to be removed from that site.

8 (5) The individual shall specify where the inedible kitchen  
9 grease is stored and processed as an alternative fuel, if that address  
10 is different from the address included on the registration form for  
11 that individual pursuant to Section 19312.

12 (6) The individual shall not sell, barter, or trade any inedible  
13 kitchen grease.

14 (c) The secretary shall fix the annual fee established pursuant  
15 to this section and may fix different fees for transporters of inedible  
16 kitchen grease and collection centers, and for transporters of  
17 interceptor grease. The secretary shall also fix the date the fee is  
18 due and the method of collecting the fee. If an additional fee is  
19 imposed on licensed renderers pursuant to subdivision (a) of  
20 Section 19227 and an additional fee is imposed on registered  
21 transporters pursuant to subdivision (a), only one additional fee  
22 may be imposed on a person or firm that is both licensed as a  
23 renderer pursuant to Article 6 (commencing with Section 19300)  
24 and registered as a transporter of inedible kitchen grease pursuant  
25 to this article, which fee shall be the higher of the two fees.

26 (d) If the fee established pursuant to this section is not paid  
27 within one calendar month of the date it is due, a penalty shall be  
28 imposed in the amount of 10 percent per annum on the amount of  
29 the unpaid fee.

30 (e) This section shall become inoperative on July 1, ~~2015~~, 2020,  
31 and, as of January 1, ~~2016~~, 2021, is repealed, unless a later enacted  
32 statute, which becomes effective on or before January 1, ~~2016~~,  
33 2021, deletes or extends the dates on which it becomes inoperative  
34 and is repealed.

35 (f) For the purposes of this section, “interceptor grease” means  
36 inedible kitchen grease that is principally derived from food  
37 preparation, processing, or waste, and that is removed from a grease  
38 trap or grease interceptor.

39 ~~SEC. 8.~~

40 *SEC. 10.* Section 2460 of the Vehicle Code is amended to read:

1 2460. (a) The definitions set forth in Article 1 (commencing  
2 with Section 19200) of Chapter 5 of Part 3 of Division 9 of the  
3 Food and Agricultural Code apply for purposes of interpreting this  
4 article. The definitions set forth elsewhere in this section also apply  
5 for purposes of interpreting this article.

6 (b) A “licensed renderer” is a renderer licensed under Article 6  
7 (commencing with Section 19300) of Chapter 5 of Part 3 of  
8 Division 9 of the Food and Agricultural Code.

9 (c) A “registered transporter” is a transporter of inedible kitchen  
10 grease registered under Article 6.5 (commencing with Section  
11 19310) of Chapter 5 of Part 3 of Division 9 of the Food and  
12 Agricultural Code.

13 (d) A “peace officer” is any peace officer defined in Chapter  
14 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal  
15 Code.

16 (e) A “container” is a receptacle, including, but not limited to,  
17 a box, barrel, tank, or jar, for holding meat or meat products,  
18 poultry meat or poultry meat products, animal carcasses or parts,  
19 inedible kitchen grease, packinghouse waste, or other such items.

20 (f) A “manifest” is a written or electronic record that contains  
21 information required by Section 1180.24 of Article 42 of  
22 Subchapter 2 of Chapter 4 of Division 2 of Title 3 of the California  
23 Code of Regulations.

24 (g) “Transportation” means the movement of inedible kitchen  
25 grease and the loading, unloading, or storage incidental to that  
26 movement.

27 (h) “Inedible kitchen grease” means any fat or used cooking  
28 grease or oils from any source.

29 (i) “Rendering” means all recycling, processing, and conversion  
30 of animal and fish materials and carcasses and inedible kitchen  
31 grease into fats, oils, proteins, and other products that are used in  
32 the animal, poultry, and pet food industries and other industries.

33 (j) “Collection center” means a receiving area for the temporary  
34 storage of animal carcasses, packinghouse waste, or other products  
35 before transportation to a licensed rendering plant or pet food  
36 processor.

37 (k) “Licensed collection center” means a collection center  
38 licensed pursuant to Section 19300.5 of the Food and Agricultural  
39 Code.

1     ~~SEC. 9.~~

2     *SEC. 11.* Section 2462 of the Vehicle Code is amended to read:

3     2462. (a) In addition to any other records required to be  
4 maintained and retained pursuant to Chapter 5 (commencing with  
5 Section 19200) of Part 3 of Division 9 of the Food and Agricultural  
6 Code, each licensed renderer and collection center shall record  
7 and maintain for two years, in connection with the receipt of  
8 kitchen grease that is not intended for human food, all of the  
9 information required by Section 1180.24 of Article 42 of  
10 Subchapter 2 of Chapter 4 of Division 2 of Title 3 of the California  
11 Code of Regulations, including, but not limited to, the following:

12     (1) The name of each registered transporter of inedible kitchen  
13 grease who has delivered that material to the licensed renderer or  
14 collection center.

15     (2) The total amount of inedible kitchen grease purchased in  
16 each transaction.

17     (3) The date of delivery for each transaction.

18     (b) Each registered transporter shall record and maintain for  
19 two years a manifest that includes, but is not limited to, all of the  
20 following:

21     (1) The name and address of each location from which the  
22 registered transporter obtained the inedible kitchen grease.

23     (2) The quantity of inedible kitchen grease received from each  
24 location.

25     (3) The date on which the inedible kitchen grease was obtained  
26 from each location.

27     ~~SEC. 10.~~

28     *SEC. 12.* Section 2464 of the Vehicle Code is amended to read:

29     2464. All records required to be retained pursuant to this article  
30 shall be maintained and retained at the regular place of business  
31 of each licensed renderer, collection center, and registered  
32 transporter for two years. Those records shall be exhibited on  
33 demand to any peace officer or authorized employee of the  
34 Department of the California Highway Patrol or the Department  
35 of Food and Agriculture.

36     ~~SEC. 11.~~

37     *SEC. 13.* Section 2466 of the Vehicle Code is amended to read:

38     2466. A peace officer or an authorized employee of the  
39 Department of the California Highway Patrol or the Department  
40 of Food and Agriculture may, during normal business hours,

1 inspect any premises maintained by a licensed renderer, collection  
2 center, or registered transporter, and any inedible kitchen grease  
3 located on the premises, for the purpose of determining whether  
4 that renderer, collection center, or transporter is complying with  
5 the record maintenance requirements of this article.

6 ~~SEC. 12.~~

7 *SEC. 14.* Section 2468 of the Vehicle Code is amended to read:

8 2468. (a) A licensed renderer, collection center, or registered  
9 transporter who fails in any respect to keep the records required  
10 by this article, or to set out in that record any matter required by  
11 this article to be set out in the record, is guilty of a misdemeanor.

12 (b) Each licensed renderer or collection center, or registered  
13 transporter, who refuses, upon demand of any peace officer or  
14 authorized employee of the Department of the California Highway  
15 Patrol or the Department of Food and Agriculture, to exhibit any  
16 record required by this article, or who destroys that record within  
17 two years after making the final entry of any information required  
18 by this article, is guilty of a misdemeanor.

19 (c) A violation of subdivision (a) or (b) is punishable as follows:

20 (1) For a first offense, by a fine of not less than one thousand  
21 dollars (\$1,000), or by imprisonment in the county jail for not more  
22 than 30 days, or by both that fine and imprisonment.

23 (2) For a second offense within a period of one year, by a fine  
24 of not less than five thousand dollars (\$5,000), or by imprisonment  
25 in the county jail for not more than 30 days, or by both that fine  
26 and imprisonment. In addition to any other punishment imposed  
27 pursuant to this paragraph, the court may enjoin the defendant  
28 from engaging in the business as a transporter, collection center,  
29 or renderer for a period not to exceed 30 days.

30 (3) For a third or any subsequent offense within a period of two  
31 years, by a fine of not less than ten thousand dollars (\$10,000), or  
32 by imprisonment in the county jail for not more than six months,  
33 or by both that fine and imprisonment. In addition to any other  
34 sentence imposed pursuant to this paragraph, the court shall enjoin  
35 the defendant from engaging in the business as a transporter,  
36 collection center, or renderer for a period of 30 days.

37 ~~SEC. 13.~~

38 *SEC. 15.* Section 2470 of the Vehicle Code is amended to read:

39 2470. It is unlawful for a person to engage in the transportation  
40 of inedible kitchen grease without being registered with the

1 Department of Food and Agriculture and without being in  
2 possession of a valid registration certificate issued by that  
3 department, or a copy of the certificate, and a manifest for the  
4 inedible kitchen grease being transported.

5 ~~SEC. 14.~~

6 *SEC. 16.* Section 2472 of the Vehicle Code is amended to read:

7 2472. (a) It is unlawful for any person who is not a licensed  
8 renderer or collection center or registered transporter of inedible  
9 kitchen grease to transport that product from any place within this  
10 state to any place outside the borders of this state.

11 (b) It is unlawful for any person who is not a licensed renderer  
12 or collection center or registered transporter of inedible kitchen  
13 grease to transport that product from any place outside this state  
14 to any place inside the borders of this state.

15 ~~SEC. 15.~~

16 *SEC. 17.* Section 2476 of the Vehicle Code is amended to read:

17 2476. A licensed renderer or collection center, registered  
18 transporter, or any other person shall not take possession of inedible  
19 kitchen grease from an unregistered transporter, unlicensed renderer  
20 or collection center, or any other person, or knowingly take  
21 possession of stolen inedible kitchen grease.

22 ~~SEC. 16.~~

23 *SEC. 18.* Section 2480 is added to the Vehicle Code, to read:

24 2480. (a) A peace officer may remove a vehicle, within the  
25 territorial limits in which the officer may act, if the vehicle is  
26 involved in the theft or movement of stolen inedible kitchen grease.  
27 If a peace officer removes a vehicle pursuant to this subdivision,  
28 the officer may, after citing or arresting the responsible person,  
29 seize the vehicle, which may be impounded for up to 15 days.

30 (b) The registered and legal owner of a vehicle removed and  
31 seized pursuant to subdivision (a) or their agents shall be provided  
32 the opportunity for a storage hearing to determine the validity of  
33 the storage in accordance with Section 22852.

34 (c) (1) Notwithstanding Chapter 10 (commencing with Section  
35 22650) or any other law, an impounding agency shall release a  
36 motor vehicle to the registered owner or his or her agent prior to  
37 the conclusion of the impoundment period described in subdivision

38 (a) under any of the following circumstances:

39 (A) If the vehicle is a stolen vehicle and reported as stolen in  
40 accordance with then existing state and local law.



1 (B) If the legal owner or registered owner of the vehicle is a  
2 rental car agency.

3 (C) If, prior to the conclusion of the impoundment period, a  
4 citation or notice is dismissed under Section 40500, criminal  
5 charges are not filed by the district attorney because of a lack of  
6 evidence, or the charges are otherwise dismissed by the court.

7 (2) A vehicle shall be released pursuant to this subdivision only  
8 if the registered owner or his or her agent presents a currently valid  
9 driver's license to operate the vehicle and proof of current vehicle  
10 registration, or if ordered by a court.

11 (d) A vehicle seized and removed pursuant to subdivision (a)  
12 shall be released to the legal owner of the vehicle, or the legal  
13 owner's agent, on or before the 15th day of impoundment if all of  
14 the following conditions are met:

15 (1) The legal owner is a motor vehicle dealer, bank, credit union,  
16 acceptance corporation, or other licensed financial institution  
17 legally operating in this state, or is another person, not the  
18 registered owner, holding a security interest in the vehicle.

19 (2) The legal owner or the legal owner's agent pays all towing  
20 and storage fees related to the impoundment of the vehicle. No  
21 lien sale processing fees shall be charged to a legal owner who  
22 redeems the vehicle on or before the seventh day of impoundment.

23 (3) The legal owner or the legal owner's agent presents  
24 foreclosure documents or an affidavit of repossession for the  
25 vehicle.

26 (e) (1) The registered owner or his or her agent is responsible  
27 for all towing and storage charges related to the impoundment,  
28 and any administrative charges authorized under Section 22850.5.

29 (2) If the vehicle is a rental vehicle, the rental car agency may  
30 require the person to whom the vehicle was rented to pay all towing  
31 and storage charges related to the impoundment and any  
32 administrative charges authorized under Section 22850.5 incurred  
33 by the rental car agency in connection with obtaining possession  
34 of the vehicle.

35 (3) The owner is not liable for any towing and storage charges  
36 related to the impoundment if acquittal or dismissal occurs.

37 (4) The vehicle may not be sold prior to the defendant's  
38 conviction.

39 ~~SEC. 17.~~

40 *SEC. 19.* Section 2482 is added to the Vehicle Code, to read:

1     2482. (a) To assist law enforcement personnel in enforcing  
2 this article, each vehicle transporting inedible kitchen grease shall  
3 have a current registration decal issued by the Department of Food  
4 and Agriculture permanently affixed and prominently displayed  
5 on the upper right corner of the vehicle windshield or in a  
6 conspicuous location on the right side of the trailer being towed.

7     (b) Each vehicle used in the transportation of inedible kitchen  
8 grease shall conspicuously display the following information on  
9 both front doors of the vehicle in letters not less than two inches  
10 high:

11     (1) The name of the business or person registered as a transporter  
12 with the Department of Food and Agriculture.

13     (2) The address of the company or owner, or the carrier  
14 identification number issued by the California Highway Patrol.

15     (c) Removable signs shall also display the information specified  
16 in subdivision (b).

17     ~~SEC. 18.~~

18     *SEC. 20.* No reimbursement is required by this act pursuant to  
19 Section 6 of Article XIII B of the California Constitution because  
20 the only costs that may be incurred by a local agency or school  
21 district will be incurred because this act creates a new crime or  
22 infraction, eliminates a crime or infraction, or changes the penalty  
23 for a crime or infraction, within the meaning of Section 17556 of  
24 the Government Code, or changes the definition of a crime within  
25 the meaning of Section 6 of Article XIII B of the California  
26 Constitution.